

FILED

July 15, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

BY: NM
DEPUTY

**PAUL VALDEZ and CURRIE BYRD,
Individually and On Behalf of All
Others Similarly Situated,**

Plaintiff,

v.

**ASSIETTE, LLC D/B/A TARDIF'S
AMERICAN BRASSERIE and JEAN
YVES TARDIF, Individually**

Defendants.

CIVIL NO. SA-23-CV-00290-OLG

SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following
Scheduling Order:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88(a) shall be filed by **Thursday, August 15, 2024**. REGARDLESS OF WHETHER THE PARTIES CONCLUDE THAT ADR IS APPROPRIATE OR NOT, THE PARTIES SHALL INCLUDE THE NAME, ADDRESS, AND TELEPHONE NUMBER OF A COURT-APPROVED MEDIATOR OR A MEDIATOR AGREED ON BY BOTH PARTIES IN THEIR ADR REPORT. A list of court-approved neutrals and alternative dispute resolution summary form may be obtained at <https://www.txwd.uscourts.gov/programs-services/alternative-dispute-resolution/>. If you do not have access to the internet, you may call the United States District Clerk's office at (210) 472-6550 to obtain a copy.
2. The parties asserting claims for relief have already submitted a written offer of settlement to opposing parties, and each opposing party has already responded in writing.
3. The parties shall file all motions to amend or supplement pleadings or to join additional parties by **Tuesday, July 30, 2024**.
4. All parties asserting claims for relief shall FILE their designation of testifying experts and SERVE on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) by **Friday, August 30, 2024**. Parties resisting claims for relief shall FILE their designation of testifying experts and SERVE on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) by **Tuesday, October 1, 2024**. All designations of rebuttal experts shall be FILED, and the materials required by Fed. R. Civ. P. 26(a)(2)(B) for such rebuttal experts, to the extent not

already served, shall be SERVED, within fourteen (14) days of receipt of the report of the opposing expert.

5. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within fourteen (14) days of receipt of the written report of the expert's proposed testimony, or within fourteen (14) days of the expert's deposition, if a deposition is taken, whichever is later.
6. The parties shall complete all discovery on or before **Tuesday, October 1, 2024**. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.
7. All dispositive motions shall be filed no later than **Monday, December 2, 2024**. The timing and page limitations for briefing on any motion shall be governed by the relevant provisions in Local Rule CV-7.
8. The parties shall mediate this case on or before **Tuesday, October 1, 2024**, unless the parties seek an order from the Court excusing them from mediation.
9. This case is set for **pretrial conference on Wednesday, April 9, 2025, at 10:30 a.m. The parties should consult Local Rule CV-16(f) regarding matters to be filed in advance of the pretrial conference and/or trial.**
10. This case is set for **bench trial on Monday, April 14, 2025, at 9:30 a.m.**

SIGNED this 15th day of July, 2024.



ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE